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FAX Transmission Sheet

August 26, 2004

To: Examiner Mark T. Le Fax No. (703) 872-9306
From: Stephen P. Burr Fax No. (315) 233-8320
Re: In re the Application of: Martin DIAMOND
Serial No.: 10/692,520 Art Unit: 3617
Date Filed: October 24, 2003 Conf. No. 9861
Title: CROSS-TIE FOR RAILROAD RAIL ASSEMBLY AND METHOD OF
MANUFACTURING THE SAME
Our Docket No.: 799_001 CIP

You should receive 11 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Mark T. Le at (703) 872-9306 at the Patent and Trademark Office on *August 26, 2004*:

	<u>Paper</u>	<u># of Pages</u>
1.	Amendment Transmittal with a Petition for Extension of Time (one month) (in duplicate)	2
2.	Amendment	<u>8</u>

Total Pages (including cover page) 11

Elizabeth A. VanAntwerp

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PATENT AMENDMENT TRANSMITTAL

(Provisions of 37 CFR 1.136 Apply)

Application Number	10/692,520	Filing Date	October 24, 2003	RECEIVED
Group Art Unit	3617	Examiner Name	Mark T. Le	CENTRAL FAX CENTER
Confirmation No.	9861	Attorney Docket No.	799_001 CIP	AUG 26
Inventor(s)	Martin DIAMOND			
Invention:	CROSS-TIE FOR RAILROAD RAIL ASSEMBLY AND METHOD OF MANUFACTURING THE SAME			

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entry)	(7) Additional Fee
TOTAL CLAIMS	26	MINUS	20	6	\$18.00	\$ 108.00
INDEP. CLAIMS	5	MINUS	3	2	\$86.00	\$ 172.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 280.00

EXTENSION OF TERM

- ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☒ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:

<input checked="" type="checkbox"/> One Month (37 CFR 1.17(a)(1)	\$110.00	\$ 110.00
<input type="checkbox"/> Two Months (37 CFR 1.17(a)(2)	\$420.00	
<input type="checkbox"/> Three Months (37 CFR 1.17(a)(3)	\$950.00	

SUBTOTAL OF FEES DUE

\$ 390.00

- ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

\$ 195.00

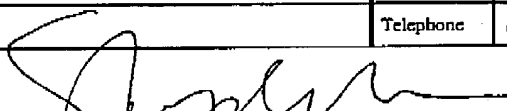
TOTAL FEES DUE

\$ 195.00

FEE PAYMENT

- ☐ No additional fee is required. ☐ A check in the amount of \$_____ is enclosed.
- ☒ Charge Deposit Account 50-1446 in the amount of \$195.00. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

Submitted By:

Name (Print Type)	Stephen P. Burr	Reg. No.	32,970	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature				Date	August 26, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

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Elizabeth A. VanAntwerp

Practitioner's Docket No.: 799_001 CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 26 2004

In re the application of: Martin DIAMOND

Ser. No.: 10/692,520

Group Art Unit: 3617

Filed: October 24, 2003

Examiner: Mark T. Le

Confirmation No.: 9861

For: CROSS-TIE FOR RAILROAD RAIL ASSEMBLY AND METHOD OF
MANUFACTURING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE
TRANSMISSION**

I hereby certify that this paper is being facsimile
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August 26, 2004 at (703) 872-9306.

Elizabeth A. VanAntwerp
Elizabeth A. VanAntwerp

AMENDMENT

Sir:

In response to the Office Action mailed April 28, 2004, please amend the above-
identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.